

FIRST REGULAR SESSION

SENATE BILL NO. 306

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WASSON.

Read 1st time February 12, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1540S.011

AN ACT

To repeal section 338.150, RSMo, and to enact in lieu thereof one new section relating to pharmaceutical testing by the board of pharmacy.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 338.150, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 338.150, to read as follows:

338.150. 1. Any person authorized by the board of pharmacy is hereby
2 given the right of entry and inspection upon all open premises purporting or
3 appearing to be drug or chemical stores, apothecary shops, pharmacies or places
4 of business for exposing for sale, or the dispensing or selling of drugs,
5 pharmaceuticals, medicines, chemicals or poisons or for the compounding of
6 physicians' or veterinarians' prescriptions.

7 **2. The board may establish and implement a program for testing**
8 **drugs or drug products maintained, compounded, filled, or dispensed**
9 **by licensees, registrants, or permit holders of the board. The board**
10 **shall pay all testing costs and shall reimburse the licensee, registrant,**
11 **or permit holder for the reasonable, usual, and customary cost of the**
12 **drug or drug product requested for testing.**

13 **3. The board shall promulgate rules to implement the provisions**
14 **of this section. Any rule or portion of a rule, as that term is defined in**
15 **section 536.010, that is created under the authority delegated in this**
16 **section shall become effective only if it complies with and is subject to**
17 **all of the provisions of chapter 536 and, if applicable, section**
18 **536.028. This section and chapter 536 are nonseverable and if any of**
19 **the powers vested with the general assembly pursuant to chapter 536**
20 **to review, to delay the effective date, or to disapprove and annul a rule**

21 are subsequently held unconstitutional, then the grant of rulemaking
22 authority and any rule proposed or adopted after August 28, 2013, shall
23 be invalid and void.

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Unofficial

Bill

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